

U.S.A. vs DANIEL HERNANDEZ-LOYA

No. 08CR1804-H

The Court finds excludable delay, under the section indicated by check (☒),
 commenced on 7/3/08 and ended on 8/11/08; (X7,XT1)
 _____ and ended on _____. ()

- 3161(h)
- ____(1) (A) Exam or hrg for **mental or physical incapacity**
- ____(1) (B) **NARA examination** (28:2902)
- ____(1) (D) State or Federal trials or **other charges pending**
- ____(1) (E) **Interlocutory appeals**
- ____(1) (F) **Pretrial motions** (from flg to hrg or other prompt dispo)
- ____(1) (G) **Transfers from other district** (per FRCrP 20, 21 & 40)
- ____(1) (J) **Proceedings under advisement** not to exceed thirty days
- ____ Misc proc: Parole or prob rev, deportation, **extradition**
- ____(1) (H) **Transportation** from another district or to/from examination or hospitalization in ten days or less
- X (1) (I) Consideration by Court of **proposed plea agreement**
- ____(2) **Prosecution deferred** by mutual agreement
- ____(3) (A) (B) **Unavailability of defendant or essential witness**
- ____(4) Period of **mental or physical incompetence** of defendant to stand trial
- ____(5) Period of **NARA commitment or treatment**
- ____(6) **Superseding indictment and/or new charges**
- ____(7) **Defendant awaiting trial of co-defendant** when no severance has been granted
- ____(8) (A) (B) **Continuances** granted per (h) (8)-use "T" alone if more than one of the reasons below are given in support of continuance
- ____(8) (B) (I) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
 (**Continuance - miscarriage of justice**)
- X 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
 (**Continuance - tendered a guilty plea**)
- ____(8) (B) (ii) 2) **Case unusual or complex**
- ____(8) (B) (iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days
- ____(8) (B) (iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare
 (**Continuance re counsel**)
- ____3161(I) Time up to **withdrawal of guilty plea**
- ____3161(b) **Grand jury indictment time extended** thirty (30) more days

A
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 T1
 T2
 T3
 T4
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 W

Date 7/3/08

MCS
 Judge's Initials